

## Truth in Testimony Disclosure Form

In accordance with Rule XI, clause 2(g)(5)\*, of the *Rules of the House of Representatives*, witnesses are asked to disclose the following information. Please complete this form electronically by filling in the provided blanks.

Committee: Judiciary

Subcommittee: THE CONSTITUTION, CIVIL RIGHTS, AND CIVIL LIBERTIES

Hearing Date: 02/28/2019

Hearing Subject:

The National Emergencies Act of 1976

Witness Name: JONATHAN TURLEY

Position/Title: SHAPIRO CHAIR OF PUBLIC INTEREST LAW  
GEORGE WASHINGTON UNIV.

Witness Type: ☐ Governmental ☒ Non-governmental

Are you representing yourself or an organization? ☒ Self ☐ Organization

If you are representing an organization, please list what entity or entities you are representing:

N/A

If you are a non-governmental witness, please list any federal grants or contracts (including subgrants or subcontracts) related to the hearing's subject matter that you or the organization(s) you represent at this hearing received in the current calendar year and previous two calendar years. Include the source and amount of each grant or contract. *If necessary, attach additional sheet(s) to provide more information.*

N/A

If you are a non-governmental witness, please list any contracts or payments originating with a foreign government and related to the hearing's subject matter that you or the organization(s) you represent at this hearing received in the current year and previous two calendar years. Include the amount and country of origin of each contract or payment. *If necessary, attach additional sheet(s) to provide more information.*

N/A

### False Statements Certification

Knowingly providing material false information to this committee/subcommittee, or knowingly concealing material information from this committee/subcommittee, is a crime (18 U.S.C. § 1001). This form will be made part of the hearing record.



Witness signature

02-26-19

Date

If you are a non-governmental witness, please ensure that you attach the following documents to this disclosure. Check both boxes to acknowledge that you have done so.

☐ Written statement of proposed testimony

☒ Curriculum vitae

\*Rule XI, clause 2(g)(5), of the U.S. House of Representatives provides:

(5)(A) Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof.

(B) In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of any Federal grants or contracts, or contracts or payments originating with a foreign government, received during the current calendar year or either of the two previous calendar years by the witness or by an entity represented by the witness and related to the subject matter of the hearing.

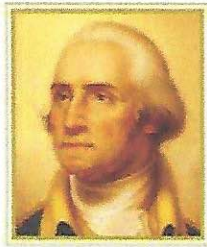
(C) The disclosure referred to in subdivision (B) shall include—

(i) the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing; and

(ii) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(D) Such statements, with appropriate redactions to protect the privacy or security of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.





THE GEORGE  
WASHINGTON  
UNIVERSITY

WASHINGTON DC

Professor Jonathan Turley is a nationally recognized legal scholar who has written extensively in areas ranging from constitutional law to legal theory to tort law. He has written over three dozen academic articles that have appeared in a variety of leading law journals at Cornell, Duke, Georgetown, Harvard, Northwestern, University of Chicago, and other schools. One of his current projects is the new case book on Torts for exploring common law, constitutional, and statutory issues of civil liability.

After a stint at Tulane Law School, Professor Turley joined the George Washington faculty in 1990 and, in 1998, was given the prestigious Shapiro Chair for Public Interest Law, the youngest chaired professor in the school's history. In addition to his extensive publications, Professor Turley has served as counsel in some of the most notable cases in the last two decades including the representation of whistleblowers, military personnel, judges, members of Congress, and a wide range of other clients. He is also one of the few attorneys to successfully challenge both a federal and a state law — leading to courts striking down the federal Elizabeth Morgan law as well as the state criminalization of cohabitation.

In 2010, Professor Turley represented Judge G. Thomas Porteous in his impeachment trial. After a trial before the Senate, Professor Turley (on December 7, 2010) argued both the motions and gave the final argument to all 100 U.S. Senators from the well of the Senate floor — only the 14th time in history of the country that such a trial of a judge has reached the Senate floor. Judge Porteous was convicted of four articles of impeachments, including the acceptance of \$2000 from an attorney and using a false name on a bankruptcy filing.

In 2011, Professor Turley filed a challenge to the Libyan War on behalf of ten members of Congress, including Representatives Roscoe Bartlett (R., Md); Dan Burton (R., Ind.); Mike Capuano (D., Mass.); Howard Coble (R., N.C.); John Conyers (D., Mich.); John J. Duncan (R., Tenn.); Tim Johnson (R., Ill.); Walter Jones (R., N.C.); Dennis Kucinich (D., Ohio); and Ron Paul (R., Tx). The lawsuit was before the United States District Court for the District of Columbia.

In November 2014, Turley agreed to serve as lead counsel to the United States House of Representatives in its constitutional challenge to changes ordered by President Obama to the Affordable Care Act. The litigation was approved by the House of Representatives to seek judicial review of the claims under the separation of powers. On May 12, 2016, the federal court handed down a historic victory for the House and ruled that the Obama Administration violated the separation of powers in ordering billions to be paid to insurance companies without an appropriation of Congress.

Other cases include his representation of the Area 51 workers at a secret air base in Nevada; the nuclear couriers at Oak Ridge, Tennessee; the Rocky Flats grand jury in Colorado; Dr. Eric Foretich, the husband in the famous Elizabeth Morgan custody controversy; and four former United States Attorneys General during the Clinton



impeachment litigation. In the Foretich case, Turley succeeded recently in reversing a trial court and striking down a federal statute through a rare “bill of attainder” challenge.

Professor Turley has also served as counsel in a variety of national security cases, including espionage cases like that of Jim Nicholson, the highest ranking CIA officer ever accused of espionage. Turley also served as lead defense counsel in the successful defense of Petty Officer Daniel King, who faced the death penalty for alleged spying for Russia. Turley also served as defense counsel in the case of Dr. Tom Butler, who is faced criminal charges dealing with the importation and handling of thirty vials of plague in Texas. He also served as counsel to Larry Hanauer, the House Intelligence Committee staffer accused of leaking a classified Presidential National Intelligence Estimate to the New York Times. (Hanauer was cleared of all allegations).

Among his current cases, Professor Turley represents Dr. Ali Al-Timimi, who was convicted in Virginia in 2005 of violent speech against the United States who is accused of being the American leader of a terrorist organization while he was a university professor in Florida. Turley just completed his representation of Dr. Al-Arian, much of which was in a determined defense against an indictment for criminal contempt. The case centered on the alleged violation of a plea bargain by the Justice Department after Dr. Al-Arian was largely exonerated of terrorism charges in Tampa, Florida. On June 27, 2014, all charges were dropped against Dr. Al-Arian. He also represented pilots approaching or over the age of 60 in their challenge to the mandatory retirement age of the FAA. He also represented David Murphee Faulk, the whistleblower who disclosed abuses in the surveillance operations at NSA’s Fort Gordon facility in Georgia.

Professor Turley also agreed to serve as lead counsel representing the Brown family from the TLC “Sister Wives, a reality show on plural marriage or polygamy. On December 13, 2013, the federal court in Utah struck down the criminalization of polygamy — the first such decision in history — on free exercise and due process grounds. On September 26, 2014, the court also ruled in favor of the Browns under Section 1983 — giving them a clean sweep on all of the statutory and constitutional claims. In April 2015, a panel reversed the decision on standing grounds and that decision is now on appeal.

Professor Turley was also lead counsel in the World Bank protest case stemming from the mass arrest of people in 2002 by the federal and district governments during demonstrations of the IMF and World Bank. Turley and his co-lead counsel Dan Schwartz (and the law firm of Bryan Cave) were the first to file and represented student journalists arrested without probable cause. In April 2015, after 13 years of intense litigation, the case was settled for \$2.8 million, including \$115,000 for each arrestee — a record damage award in a case of this kind and over twice the amount of prior damages for individual protesters. The case also exposed government destruction and withholding of evidence as well as the mass arrest of hundreds of people without probable cause.

Professor Turley also served as the legal expert in the review of polygamy laws in the British of Columbia (Canada) Supreme Court. In the latter case, he argued for the decriminalization of plural union and conjugal unions. In 2012, Turley also represented the makers of “Five Wives Vodka” (Ogden’s Own Distillery) in challenging an effective ban on the product in Idaho after officials declared the product to be offensive to Mormons. After opposing to the ban on free speech and other grounds, the state of Idaho issued a letter apologizing for public statements made by officials and lifting the ban on sale for “Five Wives Vodka.”



Turley has served as a consultant on homeland security and constitutional issues, including the Florida House of Representatives. He also served as the consultant to the Puerto Rico House of Representatives on the impeachment of Gov. Aníbal Acevedo Vilá. His prior writings and work have been widely cited in courts and Congress.

Professor Turley is a frequent witness before the House and Senate on constitutional and statutory issues as well as tort reform legislation. Professor Turley is also a nationally recognized legal commentator. Professor Turley was ranked as 38th in the top 100 most cited “public intellectuals” in the recent study by Judge Richard Posner. Turley was also found to be the second most cited law professor in the country.

He has been repeatedly ranked in the nation’s top 500 lawyers in annual surveys (including in the latest rankings by LawDragon) – one of only a handful of academics. In prior years, he was ranked as one of the nation’s top ten lawyers in military law cases as well as one of the top 40 lawyers under 40. He was also selected in the last five years as one of the 100 top Irish lawyers in the world. In 2016, he was ranked as one of the 100 most famous (past and present) law professors. Turley was also named as the choice of the Libertarians for the next Supreme Court nominee on 2016.

Professor Turley’s articles on legal and policy issues appear regularly in national publications with hundreds of articles in such newspapers as the New York Times, Washington Post, USA Today, Los Angeles Times and Wall Street Journal. He is a regular contributor for USA Today and The Hill newspaper. In 2005, Turley was given the Columnist of the Year award for Single-Issue Advocacy for his columns on civil liberties by the Aspen Institute and the Week Magazine. Professor Turley also appears regularly as a legal expert on all of the major television networks. Since the 1990s, he has worked under contract as the on-air Legal Analyst for NBC News and CBS News to cover stories that ranged from the Clinton impeachment to the presidential elections. Professor Turley has been a repeated guest on Sunday talk shows with over two-dozen appearances on Meet the Press, ABC This Week, Face the Nation, and Fox Sunday. Professor Turley has taught courses on constitutional law, constitutional criminal law, environmental law, litigation, and torts. He is the founder and executive director of the Project for Older Prisoners (POPS). His work with older prisoners has been honored in various states, including his selection as the 2011 recipient of the Dr. Mary Ann Quaranta Elder Justice Award at Fordham University.

His award-winning blog is routinely ranked as one of the most popular legal blogs by AVVO. His blog was selected as the top News/Analysis site in 2013, the top Legal Opinion Blog in 2011 as well as prior selections as the top Law Professor Blog and Legal Theory Blog. It has been regularly ranked by the ABA Journal in the top 100 blogs in the world. In 2012, Turley has selected as one of the top 20 legal experts on Twitter by Business Insider. In 2013, the ABA Journal inducted the Turley Blog into its Hall of Fame.

Professor Turley received his B.A. at the University of Chicago and his J.D. at Northwestern. In 2008, he was given an honorary Doctorate of Law from John Marshall Law School for his contributions to civil liberties and the public interest.

**For further information: Mr. Seth Tate – 202-994-0537**